

Comments	Response
<div data-bbox="205 181 310 285"> </div> <div data-bbox="401 211 711 282"> <p>City of South Lake Tahoe <i>"making a positive difference now"</i></p> </div> <p>September 14, 2011</p> <p>Robert Larsen California Regional Water Quality Control Board, Lahontan Region 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150</p> <p>Re: Comments on the Tentative Updated Waste Discharge Requirements/National Pollutant Discharge Elimination System (NPDES) Permit.</p> <p>Dear Mr. Larsen:</p> <p>Please consider the following comments for the development of the waste discharge requirements and NPDES permit (Permit) for El Dorado County, Placer County and the City of South Lake Tahoe. The first list of comments I put together and the second list is comments from the City Stormwater Coordinator (Robert Erlich). There may also be additional comments coming from the City Attorney's office in a separate letter.</p> <p>Director of Development Services comments:</p> <ol style="list-style-type: none"> 1. Section D.4 (page 6): Where voter approval of service charges, fees or assessments is necessary and is pursued by a permittee and not approved by voters, this reasoning is not a valid argument against the Permit not constituting an unfunded local government mandate. 2. Section F.7 (page 10): Please clarify, "efforts to eliminate the increased loads from these land disturbing activities will not be counted towards achieving annual load reduction requirements." Does this include implementation of the Stormwater Management Plan Construction Component? Efforts to implement the SWMP should be able to be counted in achieving load reduction requirements. 3. Section III.A.1: What will be the mechanism to determine compliance with enforcing "the necessary legal authority to prohibit...?" 4. Section III.B.1.b: "...each Permittee shall inspect at a minimum, each high priority construction site once per week" is too prescriptive. The requirement for inspection frequency should be determined in the development of the SWMP. Inspections may be required more or less frequently depending on the project prioritization and stage of construction. Same comment for Attachment C, Section II. 5. Section III.B.2.c: The focus of residential source identification and prioritization should be on the activities rather than areas. These activities could occur in different residential areas at any time. 6. Section III.B.3.a: "Each permittee shall inspect its storm water collection, conveyance and treatment facilities at least once annually..." is too prescriptive. Frequency of inspections should <p>Page 1 of 6</p> <p>Community Development Department • Planning Division • 1052 Taha Lane • South Lake Tahoe, CA 96150-6251 • (530) 542-6020 • (530) 541-7324 FAX</p>	<p>CSLT D1: Other California municipalities (including the City of Santa Cruz, Santa Monica, etc.) have successfully levied fees and/or assessments to support storm water program implementation through voter-approved measures. If, following permit adoption, the City wishes to pursue unfunded mandate claims it may do so with the Commission on State Mandates.</p> <p>CSLT D2: In accordance with the Water Quality Control Plan for the Lahontan Region (Basin Plan), as amended, the Permittees shall not allow any increase in pollutant loading from their jurisdictions. The draft permit acknowledges that development, redevelopment, and other land disturbing activities have the potential to increase pollutant loads above the calculated baseline. Mitigation measures taken to prevent pollutant loads from increasing above baseline conditions do nothing to reduce baseline pollutant loads. The referenced permit language ensures that actions taken to mitigate load increases are not counted as pollutant load reductions. Efforts taken to ensure construction projects do not increase pollutant loads, for example, are not considered load reduction activities.</p> <p>CSLT D3: Permittees must establish, through legal ordinance or other means, the legal authority to prohibit the discharges listed in permit Section III.A.1. Water Board staff will review each Permittee's Legal Authority submittal to determine whether it has met legal authority requirements described in the draft permit.</p> <p>CSLT D4: The draft permit provides the Permittees broad latitude to establish construction site priorities based on level of disturbance, project location, and other factors. Permittees may change those priorities during various construction phases. The requirement to inspect high priority sites on a weekly basis during the active construction season is reasonable and consistent with other municipal stormwater permits throughout the state.</p> <p>CSLT D5: The residential source identification component requires the Permittees to evaluate pollutant source activities <u>and</u> areas. Although various actions may occur at any place, there are known residential areas that may be directly connected, hydraulically, to the Lake or other surface waters and the Permittees should identify these "hot spots" for residential pollutant problems to which the Permittees can then target their outreach, education, and enforcement programs.</p>

Comments	Response
<div data-bbox="128 180 252 305" data-label="Image"> </div> <div data-bbox="361 212 741 302" data-label="Section-Header"> <p>City of South Lake Tahoe <i>"making a positive difference now"</i></p> </div> <p>September 14, 2011</p> <p>Robert Larsen California Regional Water Quality Control Board, Lahontan Region 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150</p> <p>Re: Comments on the Tentative Updated Waste Discharge Requirements/National Pollutant Discharge Elimination System (NPDES) Permit.</p> <p>Dear Mr. Larsen:</p> <p>Please consider the following comments for the development of the waste discharge requirements and NPDES permit (Permit) for El Dorado County, Placer County and the City of South Lake Tahoe. The first list of comments I put together and the second list is comments from the City Stormwater Coordinator (Robert Erlich). There may also be additional comments coming from the City Attorney's office in a separate letter.</p> <p>Director of Development Services comments:</p> <ol style="list-style-type: none"> 1. Section D.4 (page 6): Where voter approval of service charges, fees or assessments is necessary and is pursued by a permittee and not approved by voters, this reasoning is not a valid argument against the Permit not constituting an unfunded local government mandate. 2. Section F.7 (page 10): Please clarify, "efforts to eliminate the increased loads from these land distributing activities will not be counted towards achieving annual load reduction requirements." Does this include implementation of the Stormwater Management Plan Construction Component? Efforts to implement the SWMP should be able to be counted in achieving load reduction requirements. 3. Section III.A.1: What will be the mechanism to determine compliance with enforcing "the necessary legal authority to prohibit...?" 4. Section III.B.1.b: "...each Permittee shall inspect at a minimum, each high priority construction site once per week" is too prescriptive. The requirement for inspection frequency should be determined in the development of the SWMP. Inspections may be required more or less frequently depending on the project prioritization and stage of construction. Same comment for Attachment C, Section II. 5. Section III.B.2.c: The focus of residential source identification and prioritization should be on the activities rather than areas. These activities could occur in different residential areas at any time. 6. Section III.B.3.a: "Each permittee shall inspect its storm water collection, conveyance and treatment facilities at least once annually..." is too prescriptive. Frequency of inspections should <p>Page 1 of 6</p> <p>Community Development Department • Planning Division • 1052 Tata Lane • South Lake Tahoe, CA 96150-6251 • (530) 542-6020 • (530) 541-7524 FAX</p>	<div data-bbox="1035 1133 2005 1369" data-label="Text"> <p>CSLT D6: The requirement to inspect stormwater collection, conveyance, and treatment facilities at least once annually is needed to ensure the infrastructure is functioning as designed and does or does not need annual maintenance. The draft permit has been revised to broaden the inspection requirement to storm water "systems" rather than individual facilities to allow the Permittees to prioritize inspection efforts.</p> </div>


Comments	Response
<p>be determined in the development of the SWMP. Inspections may be required more or less frequently depending on the type of facility and prioritization. Same comment for Attachment C, Section II.</p> <p>7. Section III.C: I can understand the need to report on SWMP implementation expenditures each year but a complete fiscal analysis annually will be costly. A fiscal analysis that includes the projected annual cost of full implementation once the SWMP is approved is appropriate. What is the timeframe for the fiscal analysis? Within 1 year of SWMP approval?</p> <p>8. Section III.C: The Permit calls for the SWMP fiscal analysis component to describe funding sources for implementation, what if funds are not available?</p> <p>9. Section IV.A: The methodologies for developing jurisdiction specific pollutant load allocations are still in development and a mechanism to address modifications to this Permit based on future study need to be in place. For example, the assumptions, extrapolations, and potential inaccuracies that result from the current method of using individual PLRM modeling for jurisdictional scale pollutant loading make it very likely that better science and methodologies will be developed to make the jurisdictional pollutant load allocations more accurate. In addition, the method to account for catchment connectivity in the pollutant load estimates are still being discussed and recent studies have shown fine sediment particles may not be the primary cause of Lake clarity degradation. It is imperative that a process is in place to facilitate adjustments to the pollutant load baselines and/or allocations that does not create additional cost or local jurisdiction staff time burdens. Please clarify the procedure for submitting a request and receiving approval for modifying the baseline pollutant load estimate and include the ability to request modifications to the basin-wide and jurisdictional waste load allocations.</p> <p>10. Section IV.D: In the first paragraph describing new development or re-development, please clarify the statement, "efforts to eliminate the increased loads from these land-disturbing activities will not be counted towards the annual load reduction requirements." It is a primary goal of the City of South Lake Tahoe and the Tahoe Regional Planning Agency to improve water quality through "environmental redevelopment." In the July 20, 2011 staff report to the TRPA Governing Board on the revised Regional Plan Update scope, environmental redevelopment is described as, "a set of strategies to (a) promote relocation of existing development off of sensitive lands and into compact town centers consistent with the concepts of California's SCS mandate; and b) accelerate the rebuilding of existing development to incorporate state-of-the-art environmental standards and best practices." In an already developed urban area where the lack of modern infrastructure and deteriorating built environment significantly contributes to pollutant runoff, redevelopment is the key to meeting pollutant load reduction requirements as well as other environmental thresholds. It appears that this Permit discourages reinvestment into existing developed areas by not allowing those efforts to be counted toward pollutant load reduction requirements.</p> <p>11. Attachment C, Section F: There should not be a deadline for submitting a proposal to use an alternative assessment method. New and more accurate science and methodologies could be developed at any time during the permit term and should be able to be considered.</p> <p>12. What are the funding resources available to local jurisdictions to complete the preparation of ordinances, a Pollutant Load Reduction Plan, an Amended Stormwater Management Plan, a</p>	<p>CSLT D7: Each Permittee must annually assess the cost of stormwater program implementation and secure the resources necessary to meet permit requirements.</p> <p>CSLT D8: See response to comment CSLT D7 above.</p> <p>CSLT D9: The draft permit has been revised to more clearly allow the Permittees to propose changes to the baseline pollutant load values should new information become available.</p> <p>CSLT D10: See response to CSLT D2 above. The language is meant to clarify that credit will not be given for efforts to handle the <u>increased</u> storm water and pollutant loads created by the development or redevelopment. However, if a development, redevelopment, or other infrastructure project can demonstrate pollutant load reductions beyond the baseline load condition, then such projects may be counted toward meeting a Permittee's load reduction requirements. The draft permit encourages the Permittees to partner with each other and the private sector to achieve efficient and effective water quality improvement.</p> <p>CSLT D11: The draft Permit has been revised to eliminate the deadline for submitting proposals for alternative condition assessment methods.</p> <p>CSLT D12: The Permittees are responsible for assessing program costs and securing resources necessary to meet permit requirements. Although it is not the Water Board's responsibility to provide funding, the Water Board will encourage and support efforts to continue and enhance State and Federal funding.</p>

Comments	Response
<p>Pollutant Load Reduction Report, a Stormwater Monitoring Plan, Progress Report and registering catchment credit schedules by March 2013? These study and reporting requirements will be costly as will implementation.</p> <p>13. Will there be a basin-wide strategy for water quality monitoring to ensure consistency and reduce costs?</p> <p>Stormwater Coordinator comments:</p> <p>1. P 1 cover letter. When is LCCPH v.1.0 due out. Is there time to review?</p> <p>Tentative Updated Permit</p> <p>2. Permit-Findings F.5 P.9: The jurisdictions have expressed concerns that the time allotted to complete the September 2011 baseline jurisdictional load estimates was not sufficient to allow the jurisdictions to finalize a load estimate that included a factors such as connectivity. While the permit intends to use these baseline load estimates for jurisdictions specific pollutant load allocations, the process to allow changes to the baseline load estimate needs to be readily available to permittees. (It is briefly mentioned in IV.A. P. 19.)</p> <p>3. I.B P.11: - typo—in its (for it its)</p> <p>4. III.A.2.a P.14: Control through interagency agreement... Does this apply to only the 3 permittees covered by this permit, or also Caltrans. Can you provide any examples of such agreements between munies and Caltrans?</p> <p>5. III.B. P. 15: SWMP – amendment due 3/15/2013 – OK. 2012 would be too early.</p> <p>6. III.B.2.b, d P16-17 : Commercial and Industrial site inspection, outreach and enforcement and residential outreach and enforcement are required by 3/15/2013 under a permit section involving SWMP updates. These requirements include enforcement of ordinances to maintain compliance with permit. If these are not in place, would this be a violation for not complying with permit requirements (as detailed in the SWMP), or could the SWMP be amended, identifying a different time schedule, to avoid potential enforcement action.</p> <p>7. III.B.3a.P 17: Requirement to inspect all facilities annually may not be needed; City has >1500 sediment traps which currently are not given much credit in reducing fine sediment loads. Several years of inspections indicate that many of the sediment traps don't need yearly maintenance. Amount of time to inspect all facilities as well as meet the requirements in the MRP for Condition Assessment is likely to be a difficult burden for permittees to meet. Consider allowing variances or exemptions to inspect all facilities annually.</p> <p>8. III.B.3c.P 18: New requirement for permittees to perform needed maintenance after prioritization. How will compliance be determined? Should we divert resources from LCCP-related maintenance to maintain BMPs in non-registered, not-critical catchments? The section may lead</p>	<p>CSLT D13: The Regional Storm Water Monitoring Program (RSWMP) was established to ensure monitoring consistency. The draft permit requires the Permittees to use RSWMP monitoring protocols and provides incentives for Permittees to work together to more efficiently meet monitoring program goals.</p> <p>CSLT S1: The updated Lake Clarity Crediting Program Handbook is available for review on the Water Board website: www.waterboards.ca.gov/lahtontan/water_issues/programs/tmdl/lake_tahoe/docs/lccp_handbook.pdf</p> <p>CSLT S2: The draft permit has been revised to more clearly allow the Permittees to propose changes to the baseline pollutant load values should new information become available.</p> <p>CSLT S3: Correction made.</p> <p>CSLT S4: The Permittees may enter into inter-agency agreements with any entity it chooses to control pollutant discharges into their collection, conveyance, and treatment facilities. Water Board staff do not have any readily available examples for such agreements.</p> <p>CSLT S5: Correction made. The date for submitting a certification of legal authority has been proposed at March 15, 2013.</p> <p>CSLT S6: As referenced above, the draft permit requires the Permittees to establish legal authority to implement permit requirements by March 15, 2013. Failure to do so will be considered a violation of the permit and subject to enforcement action. A Permittee cannot change a permit condition by modifying its SWMP.</p> <p>CSLT S7: The requirement to inspect stormwater collection, conveyance, and treatment facilities has been edited to reference “systems” rather than “facilities” to provide the Permittees flexibility to target inspection efforts on a catchments, or subwatershed scale.</p> <p>CSLT S8: Permittees must maintain all collection, conveyance, and treatment infrastructure to ensure that pollutant loads do not increase above the baseline condition. The requirement to maintain all facilities is consistent with the previous permit (this is not a “new” requirement) and other municipal stormwater permits throughout the state. The permit does not require a Permittee to “divert resources” from other critical maintenance needs.</p>

Comments	Response
<p>munies to give these facilities lower priorities as the only way to avoid a requirement to perform maintenance City already inspects and maintains facilities to alleviate drainage issues.</p>	<p>CSLT S9: The draft permit has been revised to more clearly allow the Permittees to propose changes to the baseline pollutant load values should new information become available.</p>
<p>9. IV A. PLR-Baseline Pollutant Loads P. 19: Allows a permittee to submit a request to Water Board to amend its baseline load estimate. Cite in letter, and state that serious consideration of these permittees' requests by the WB would be expected.</p>	
<p>10. IV C.1 PLRP=Catchment registration schedule P. 20: ...a list of catchments likely to be registered.. Unclear about period – add "through the term of this permit". If the intent is to provide a schedule of catchments beyond 2016, this may be difficult to predict as of 2013.</p>	<p>CSLT S10: The draft permit has been edited to clarify that the Pollutant Load Reduction Planning requirement to provide a schedule of catchments likely to be registered applies to this permit term only.</p>
<p>11. IV.C. 3. Pollutant load reduction estimates P 21: .. or a representative catchment subset.. The intent presumably is to allow multi-catchment measures e.g., modified abrasives, be credited without having to provide the same level of detail about each catchment. Add additional language to confirm/clarify this point.</p>	<p>CSLT S11: There is no mechanism within the Lake Clarity Crediting Program to award credit for jurisdiction-wide measures. Permittees must register each catchment where the Permittee expects to be awarded credit.</p>
<p>12. IV.C.4. Load Reduction Schedule. P 21: PLRP includes schedule. If the City doesn't meet the schedule, will enforcement be for not following PLRP, or for not meeting PLR Requirements in IV.B. If permittees fall behind, should they revise the 2013 schedule?</p>	<p>CSLT S12: Compliance with pollutant load reduction requirements will be assessed at the end of the permit term, and the Water Board will exercise its enforcement discretion for those Permittees that fail to meet the established requirements. Although the schedule proposed in the Pollutant Load Reduction Plan may be subject to change if necessary, the Permittees will be expected to demonstrate progress by implementing their plans.</p>
<p>13. IV.D. Development Impacts. P 21: Consider additional language regarding the scale of impacts which require this assessment. Also see MRP Section IV A. P 12-13, which requires permittees to list development and redevelopment projects, with a confirmation that changes in pollutant loading be documented by registering the catchment. Does this mean that permittees must register all catchments with new development or redevelopment projects? Consider modifying this to only require registration for catchments where permittees have used the Findings F.6 clause regarding "document coordination ...to demonstrate that stormwater treatment facilities treating private property are sufficient..."</p>	
<p>14. IV. E Pollutant Load Reduction Progress. P 22: Report required by March 15, 2013, documenting projects completed between 2004 and 2011 and pollutant load reduction estimates for actions up to Oct 15, 2011. This is a reasonable date for this report.</p>	<p>CSLT S13: The draft permit has been edited to require Permittees to conduct a single assessment at the end of the Permit term to determine if development or other land uses changes have caused pollutant loading to increase beyond baseline levels.</p>
<p>Attachment C. Monitoring and Reporting Program (MRP)</p>	<p>CSLT S15: The draft permit has been edited with "estimated" inserted before "pollutant load reductions".</p>
<p>15. I.A PLR Monitoring Requirements –LCCP: 5th sentence – Add "estimated" before "pollutant load reductions"</p>	
<p>16. I.C P 3. Crediting Program Handbook: Will permittees have adequate time to review LCCP Handbook version 1.0 prior to adoption of this permit? Will further updates to LCCP be allowed? If so, would updates need to be approved either by WB Executive Officer or Board? If so, consider use of "as amended from time to time" language to allow updates.</p>	<p>CSLT S16: See response to comment CSLT S1 above. Water Board staff do not anticipate the need to make substantive changes to the Lake Clarity Crediting Program Handbook during this permit term. However, if the need to change the Handbook does arise, the Permit can be updated accordingly. The nature and extent of future Handbook changes would determine whether the Permit can be updated under the Executive Officer's authority or whether the Water Board must consider the update.</p>
<p>17. I.E Condition Assessments P.4: Permittees are concerned that the workload to complete condition assessments as well as inspecting all facilities may be difficult to complete given current</p>	

Comments	Response
<p>local government budget problems. If permittees choose to develop alternate assessment methods, they would still need to do the LCCP Handbook, the BMP and Road RAMs while seeking approval for alternate assessment methods. The Water Board should consider the value gained from the both the condition assessments and the annual inspection of all facilities, and work with Permittees to modify Permit requirements to reduce the inspection workload currently required in this Permit.</p> <p>18. I.F. Condition Assessment Method Alternatives P.5: The March 15, 2012 deadline to submit alternatives to BMP and Road RAMs does not provide sufficient time. Consider removing the deadline on submitting Condition Assessment Method Alternatives. Though the March 15, 2012 deadline did not require all technical information, the reasons for requiring identification of alternatives within four months of permit adoption are not clear. Permittees may be busy working to meet other permit requirements during this period, and may not have time to develop alternative methods during these four months.</p> <p>19. II.A. Stormwater Facilities Inspections P. 5: Remove the requirements to conduct facilities inspections only between May and September. The City has performed some inspections before May and some after September. The MRP does not require annual inspections of all facilities within registered catchments, since condition assessments will inspect the relevant facilities in these catchments. The same language limiting the inspection requirement should be used in Permit Section III.B.3 P 17. Also, check for consistency between Permit and MRP on whether performing needed maintenance is required. This updated permit appears to require maintenance (Permit Section III.B.3 c. P 18), while the MRP just requires detailed inspection and reporting, but does not require maintenance to be performed.</p> <p>20. III.A.2. P.8 Catchment Scale Runoff WQ Monitoring – Continuous Flow Data: Are the seasons (Dec-May, and June-Nov) consistent with seasons reported in the State of the Lake report? It is likely that due to equipment problems or icing, there may be data gaps. Consider language that the Permittees should explain any data gaps, but would not be facing enforcement for solely for having some data gaps.</p> <p>21. III A. 5 Continuous Turbidity Measurements. P.8: Most catchment outfalls are ephemeral. It may be difficult to obtain reliable continuous turbidity measurements under these conditions. Has there been much success in obtaining continuous turbidity measurements at ephemeral outfalls in the Tahoe Basin? Are the continuous turbidity measurements protocols described in RSWMP? Even though permittees will sample TSS less frequently than turbidity, it may be useful to attempt to relate FSP concentration with TSS, and to attempt to develop a rating curve. This work could be done by Water Board staff or by the Permittees.</p> <p>22. III.B.2 – BMP Effectiveness Monitoring P 9: Type – “reasonable method to obtain”. Monthly inflow and outflow volume may be useful to report.</p> <p>23. III.B.7 Pollutant or hydrologic source control BMPs P 10: Permittees may be interested in assessing the pollutant load reduction value of sediment traps. However, this section limits the approaches to estimating runoff volume eliminated and the number of particles eliminated per unit</p>	<p>CSLT S18: See response CSLT S7 above.</p> <p>CSLT S19: The draft permit has been edited to remove the deadline for submitting alternative condition assessment methods. Permittees may propose alternative methods any time during the permit term.</p> <p>CSLT S20: The draft permit requires Permittees to inspect stormwater facilities following spring snow melt and prior to the onset of fall rain and snow storms to allow for maintenance, as needed, to be performed. Text has been added to the draft permit to clarify this point. The general requirement to inspect all stormwater facilities is independent of the Lake Clarity Crediting Program and associated condition assessment requirements, thus the permit requirements for these differing inspection elements are distinct. The permit requires that facilities be maintained, and the facility inspection component reflects this requirement.</p> <p>CSLT S21: There are no stated seasonal periods in the State of the Lake Report. By defining “seasons” with the monitoring program, Permittees will be able to evaluate data from “dry” and “wet” periods of the year. The Permittees are to provide specific monitoring program details to meet permit requirements. Given the variability of stormwater discharges, and the referenced challenges with freezing temperatures, some gaps in continuous data measurement are expected.</p> <p>CSLT S22: Stormwater monitoring practitioners in the Lake Tahoe basin have developed successful methods for continuously monitoring turbidity. Although these protocols are not explicitly described in the RSWMP sampling protocols, the information is readily shared among Permittees and their consultants. Should the Permittees wish to explore methods to link total suspended sediment to fine sediment particles, they may do so and the Water Board will consider using statistically valid correlation information. However, at this time permit requirements will remain focused on linking cost-effective turbidity measurements to fine sediment particle concentration.</p> <p>CSLT S23: The typographical error has been corrected. Should Permittees wish to report monthly inflow and outflow volume, they may do so. However, permit requirements will remain focused on seasonal (i.e. wet/dry) reporting.</p>

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<p>local government budget problems. If permittees choose to develop alternate assessment methods, they would still need to do the LCCP Handbook, the BMP and Road RAMs while seeking approval for alternate assessment methods. The Water Board should consider the value gained from the both the condition assessments and the annual inspection of all facilities, and work with Permittees to modify Permit requirements to reduce the inspection workload currently required in this Permit.</p> <p>18. I.F. Condition Assessment Method Alternatives P.5: The March 15, 2012 deadline to submit alternatives to BMP and Road RAMs does not provide sufficient time. Consider removing the deadline on submitting Condition Assessment Method Alternatives. Though the March 15, 2012 deadline did not require all technical information, the reasons for requiring identification of alternatives within four months of permit adoption are not clear. Permittees may be busy working to meet other permit requirements during this period, and may not have time to develop alternative methods during these four months.</p> <p>19. II.A. Stormwater Facilities Inspections P. 5: Remove the requirements to conduct facilities inspections only between May and September. The City has performed some inspections before May and some after September. The MRP does not require annual inspections of all facilities within registered catchments, since condition assessments will inspect the relevant facilities in these catchments. The same language limiting the inspection requirement should be used in Permit Section III.B.3 P 17. Also, check for consistency between Permit and MRP on whether performing needed maintenance is required. This updated permit appears to require maintenance (Permit Section III.B.3 c. P 18), while the MRP just requires detailed inspection and reporting, but does not require maintenance to be performed.</p> <p>20. III.A.2. P.8 Catchment Scale Runoff WQ Monitoring – Continuous Flow Data: Are the seasons (Dec-May, and June-Nov) consistent with seasons reported in the State of the Lake report? It is likely that due to equipment problems or icing, there may be data gaps. Consider language that the Permittees should explain any data gaps, but would not be facing enforcement for solely for having some data gaps.</p> <p>21. III A. 5 Continuous Turbidity Measurements. P.8: Most catchment outfalls are ephemeral. It may be difficult to obtain reliable continuous turbidity measurements under these conditions. Has there been much success in obtaining continuous turbidity measurements at ephemeral outfalls in the Tahoe Basin? Are the continuous turbidity measurements protocols described in RSWMP? Even though permittees will sample TSS less frequently than turbidity, it may be useful to attempt to relate FSP concentration with TSS, and to attempt to develop a rating curve. This work could be done by Water Board staff or by the Permittees.</p> <p>22. III.B.2 – BMP Effectiveness Monitoring P 9: Type – “reasonable method to obtain”. Monthly inflow and outflow volume may be useful to report.</p> <p>23. III.B.7 Pollutant or hydrologic source control BMPs P 10: Permittees may be interested in assessing the pollutant load reduction value of sediment traps. However, this section limits the approaches to estimating runoff volume eliminated and the number of particles eliminated per unit</p> <p>Page 5 of 6</p>	<p>CSLT S24: The monitoring requirements emphasize methods to assess and report reductions in either stormwater volume or fine sediment particle concentrations. If a given practice is unable to reduce volume or eliminate fine sediment particles, then it is unlikely that such practice is worth monitoring (or implementing). Monitoring data for sediment traps indicates that, although useful for collecting runoff and providing pre-treatment, they do not effectively reduce stormwater volumes or remove the pollutants of concern. However, the Water Board will consider any new data that demonstrates the effectiveness of these systems for reducing pollutant loads.</p>

Comments	Response
<p>area. Allow other metrics for assessing BMP effectiveness that may be more relevant for sediment traps.</p> <p>24. ILLD. SW Monitoring Data Management. P 11: Is the regional data center mentioned in the second paragraph the one at CEDEN, or does this refer to other regional data centers, e.g. TIIIMS? If not referring to CEDEN, what happens if the other regional data centers are not operating?</p> <p>25. IV Annual Reporting Requirements P 12: When is the first Annual Report due, March 2012, or March 2013?</p> <p>26. IV.E.12 SW Monitoring Report: Typo – “A discussion of lessons learned”</p> <p>27. General Comment: The most recent State of the Lake Report indicates that clarity is worse in the summer than in the winter. Urban loads are presumably higher in the winter/spring than in summer/fall. Does the new information about seasonal clarity trends and the change in phytoplankton populations call into question some of the permit’s findings about urban runoff and the determination that fine sediment particles is the primary pollutant of concern?</p> <p>If you have any questions or would like to discuss any of these comments, please feel free to contact me.</p>	<p>CSLT S24: Permittees may choose to use the CEDEN database or other regional database structures for stormwater data management.</p> <p>CSLT S25: The draft permit has been edited to clarify that the first annual report shall be submitted on March 15, 2014.</p> <p>CSLT S26: The typographical error has been corrected.</p> <p>CSLT S27: The recent State of the Lake Report does not include any new information that is contradictory to the Lake Tahoe TMDL findings or to the findings of the draft permit. Although pollutant loading does vary by season, the variability in Lake Tahoe’s seasonal transparency is primarily driven by the distribution of particles as influenced by mixing processes. The optical properties of the Lake have not changed – inorganic fine sediment particles continue to be the primary factor influencing transparency measurements.</p>
<p>Sincerely,</p>  <p>Hilary Hodges Director of Development Services</p> <p>Copy: Tony O'Rourke, City Manager</p>	
<p>Page 6 of 6</p>	

